

Serial No.: 10/076,674Docket No. 1151-4172**27123**
CUSTOMER NUMBER**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Kenneth K. Sokoll Confirmation No. : 1691
Serial No : 10/076,674 Examiner : Emily M. LE
Filing Date : February 14, 2002 Group Art Unit : 1648
For : STABILIZED SYNTHETIC IMMUNOGEN DELIVERY SYSTEM

By Facsimile: 571-273 6500

Attention: **REFUND**
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND PURSUANT TO 37 CFR §1.26

Sir:

A Response to an Office Action and a Petition for an Extension of Time (3 months) pursuant to 37 C.F.R. §1.136(a) and the fee pursuant to 37 C.F.R. §1.17 were electronically filed in U.S. Serial No. 10/076,674 on December 19, 2006. A copy of the electronic receipt is attached as **Exhibit 1**.

This application was filed under and continues to maintain a small entity status. A copy of the Official Filing receipt indicating the small entity status is attached as **Exhibit 2**. When the Response and the Petition for An Extension of Time were filed, the fee was inadvertently calculated at the LARGE ENTITY amount of \$1,020.00 (although the Petition states that applicant is entitled to the Small Entity Status). A copy of the Petition is attached as **Exhibit 3**.

This REQUEST FOR REFUND is made within two years from the date the fee was inadvertently calculated at the Large Entity rate, *i.e.*, December 19, 2006.

The payment for an Amendment Response Under 37 C.F.R. §1.111 and Petition for an Extension of Time for 3 months as a LARGE ENTITY has already been secured for filing the above-identified communication and the difference in the fee paid

- 1 -

1046349 v1

Serial No.: 10/076,674Docket No. 1151-4172

therefore of \$1,020.00 and the total fee due for the total now requested in payment as a SMALL ENTITY is requested for refund. The difference of the fee for this Amendment and Extension of Time for 3 months as a SMALL ENTITY (\$510.00) and the fee previously paid electronically as a LARGE ENTITY (\$1,020.00) equals \$510.00 (total fee refund).

Please deposit the requested amount of \$510.00 to Deposit Account No. 13-4500, Order No. 1151-4172.

AUTHORIZATION

Applicants believe that no additional fees are necessary, however, should any such fees be due, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1151-4172.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 8, 2007By: 

Evelyn M. Kwon
Registration No. 54,246

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

EXHIBIT 1

Electronic Patent Application Fee Transmittal

Application Number:	10076674			
Filing Date:	14-Feb-2002			
Title of Invention:	Stabilized synthetic immunogen delivery system			
First Named Inventor/Applicant Name:	Kenneth K. Sokoll			
Filer:	Evelyn Marian Kwon			
Attorney Docket Number:	1151-4172			
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issue:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1020	1020

Adjusted
12/20/2008
01 FC:1253

Date: 03/30/2007
Fee: 00 00000005 134500
1020.00 CR

03/30/2007 SDIRETA1 00000005 134500
01 FC:2253 510.00 DA

10076674

10076674

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1020

Electronic Acknowledgement Receipt

EFS ID:	1385496
Application Number:	10076674
International Application Number:	
Confirmation Number:	1691
Title of Invention:	Stabilized synthetic immunogen delivery system
First Named Inventor/Applicant Name:	Kenneth K. Sokoll
Customer Number:	27123
Filer:	Evelyn Marian Kwon
Filer Authorized By:	
Attorney Docket Number:	1151-4172
Receipt Date:	19-DEC-2006
Filing Date:	14-FEB-2002
Time Stamp:	15:35:14
Application Type:	Utility

Payment Information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 1020
RAM confirmation Number	202
Deposit Account	134500
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part / .zip	Pages (if appl.)
1		1151-4172Amend.pdf	763770	yes	20
Multipart Description/PDF files in .zip description					
	Document Description	Start	End		
	Amendment - After Non-Final Rejection	1	1		
	Specification	2	2		
	Claims	3	12		
	Applicant Arguments/Remarks Made in an Amendment	13	18		
	Extension of Time	19	20		
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8139	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			771909		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the Indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/803 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					

Electronic Patent Application Fee Transmittal				
Application Number:		10076674		
Filing Date:		14-Feb-2002		
Title of Invention:		Stabilized synthetic immunogen-delivery system		
First Named Inventor/Applicant Name:		Kenneth K. Sokoll		
Filer:		Evelyn Marian Kwon		
Attorney Docket Number:		1151-4172		
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1020	1020

EXHIBIT 2

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1020



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/076,674	02/14/2002	1642	3381	1151-4172	12	75	1

CONFIRMATION NO. 1691

FILING RECEIPT



0000000007664523

Maria C.H. Lin
Morgan & Finnegan L.L.P.
345 Park Avenue
New York, NY 10154-0053

Date Mailed: 03/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kenneth K. Sokoll, Stony Brook, NY;

CASE 01151-4172 ATTY CLN

Domestic Priority data as claimed by applicant

INFORMATION DISCLOSURE
STATEMENT _____

Foreign Applications

FOREIGN FILING November 14, 2002

If Required, Foreign Filing License Granted 03/18/2002

CONVENTION DATE EXPIRES Feb. 14, 2003

Projected Publication Date: To Be Determined - pending completion of Sequence Disclosures

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Stabilized synthetic immunogen delivery system

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

EXHIBIT 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kenneth K. Sokoll Confirmation No. : 1691
 Serial No : 10/076,674 Examiner : Emily M. LE
 Filing Date : February 14, 2002 Group Art Unit : 1648
 For : STABILIZED SYNTHETIC IMMUNOGEN DELIVERY SYSTEM

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

1. This is a petition for an extension of time for an Amendment and Response Pursuant to 37 C.F.R. § 1.111.

2. The communication in connection with the matter for which this extension is requested

☒ is filed herewith.

☐ has been filed on ____.

3. ☒ Applicant(s) is/are entitled to Small Entity Status.

☐ Statement has already been filed

		<u>Total Months Requested</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
a.	<input type="checkbox"/>	one month	\$120.00	\$60.00
b.	<input type="checkbox"/>	two months	\$450.00	\$225.00
c.	<input checked="" type="checkbox"/>	three months	\$1,020.00	\$510.00
d.	<input type="checkbox"/>	four months	\$1,590.00	\$795.00
e.	<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00
f.	<input type="checkbox"/>	An extension for ____ months has already been secured for filing the above-identified communication and the fee paid therefore of \$____ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$____), minus the fee previously paid (\$____) equals \$____ (total fee due).		

1037198 v1

Docket No. 1151-4172
Serial No. 10/076,674

5. ☐ A check in the amount of \$_____ to cover the extension fee is attached.
6. ☒ Charge fee to Deposit Account No. 13-4500, Order No. 1151-4172.
7. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500.
Order No. 1151-4172.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 19, 2006

By: 

Evelyn M. Kwon
Reg. No. 54,246

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

Serial No.: 10/076,674Docket No. 1151-4172**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Kenneth K. Sokoll Confirmation No. : 1691
Serial No : 10/076,674 Examiner : Emily M. LE
Filing Date : February 14, 2002 Group Art Unit : 1648
For : STABILIZED SYNTHETIC IMMUNOGEN DELIVERY SYSTEM

By Facsimile: 571-273 6500

Attention: REFUND
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the attached Request for Refund (2 pages); Exhibits 1-3;
and this Certificate of Facsimile Transmission (1 page) are being transmitted on the date
shown below to the Refund division at following facsimile number: 571-273 6500.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 8, 2007By: 

Evelyn M. Kwon
Registration No. 54,246

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

1046414 v1